

FILE: Minutes File

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, MARCH 25, 1980  
AT 8:30 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 8:46 a.m. Mayor Wilson recessed the meeting at 9:14 a.m. into Executive Session on Pending Litigation in the 11th Floor Conference Room West. Mayor Wilson reconvened the meeting at 10:40 a.m. with Councilmember Mitchell not present. A recess was called by Mayor Wilson at 11:38 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Wilson at 2:19 p.m. with Councilmembers Cleator, Williams, Stirling, and Killea not present. A recess was called by Mayor Wilson at 4:10 p.m. Mayor Wilson reconvened the meeting at 4:36 p.m. with Councilmember Lowery not present. Mayor Wilson adjourned the meeting at 6:33 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

(1) Councilmember Mitchell-present.

(2) Councilmember Cleator-present.

(3) Councilmember Lowery-present.

(4) Councilmember Williams-present.

(5) Councilmember Schnaubelt-present.

(6) Councilmember Gotch-present.

(7) Councilmember Stirling-excused by R-251475 (for doctor's appointment).

(8) Councilmember Killea-present.

Clerk-Abdelnour (kb,ra)

Mar-25-1980 ITEM-300:

FILE: Minutes File

DESCRIPTION:

Clerk Abdelnour called the roll: Mayor Wilson-present. Councilmember Mitchell-present. Councilmember Cleator-present. Councilmember Lowery-not present.

Councilmember Williams-present. Councilmember Schnaubelt-not present.

Councilmember Gotch-present. Councilmember Stirling-present. Councilmember Killea-present.

Mar-25-1980 \* ITEM-123:

FILE: -

DESCRIPTION:

(R-80-1697) Approving the Transportation and Land Use Committee recommendations on those CITY-OWNED SITES NUMBERED 235 Area B, 351, 356, 357, 358, 365, 366, 407, 477, 555, 601, 768-783, 801, 802, 803, 805, 807, 808, 810, 812, 813 and 815.

COUNCIL ACTION: (Cassette tape location: A390-450).

Referred to City Manager.

Motion by Stirling to reconsider action taken on Site 805. Second by Mitchell. Passed by the following vote: Yeas-1,2,3,4,6,7,8,M. Not present-5.

MOTION BY STIRLING TO REFER SITE 805 TO THE CITY MANAGER TO PREPARE STAFF

REPORT. Second by Mitchell. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-yea.

Stirling-yea. Killea-yea. Mayor Wilson-yea.

Mar-25-1980 ITEM-151:

FILE: MEET

DESCRIPTION:

(R-80-1700) Authorizing the execution of an AGREEMENT with the California Coastal Commission for the Commission's FUNDING of an experimental COASTAL SHUTTLE SERVICE for the Mission Bay/Pacific Beach Planning areas during the summer of 1980.

NOTE: See Planning Department Report dated 3-7-80.

COUNCIL ACTION: (Cassette tape location: B116-120).

Adopted as Resolution R-251470.

MOTION BY GOTCH TO ADOPT. Second by Williams. Passed by the following vote:

Mitchell-yea. Cleator-nay. Lowery-yea. Williams-yea. Schnaubelt-nay.

Gotch-yea. Stirling-nay. Killea-yea. Mayor Wilson-nay.

Mar-25-1980 ITEM-203:

FILE: MEET

DESCRIPTION:

(R-80-1609) Authorizing the execution of an AGREEMENT with The Regents of the University of California at San Diego (UCSD) to construct a bicycle/pedestrian path between the La Jolla Village Bridge and the University, and an AGREEMENT with the San Diego Transit Corporation (SDTC) to maintain the bicycle/bus rack program; authorizing the AUDITOR AND COMPTROLLER to transfer \$24,500 from Fiscal Year 1980 Local Transportation Fund to the following: (1) \$16,000 to UCSD and (2) \$8,500 to SDTC for the above purpose.

COUNCIL ACTION: (Cassette tape location: A043-215).

Adopted as Resolution R-251462.

By Common Consent it was requested by Mitchell that Mr. Page from the San Diego Transit Corporation supply Mitchell's office with information regarding cost of liability to the City to have racks attached to buses.

MOTION BY MITCHELL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-nay. Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-nay. Killea-yea. Mayor Wilson-ye

Mar-25-1980 ITEM-310:

FILE: MEET

DESCRIPTION:

Welcome to New Employees.

COUNCIL ACTION: (Cassette tape location: A452-459).

Did not appear.

Mar-25-1980 ITEM-330:

FILE: SUBD S-Bak Condominiums

DESCRIPTION:

APPEAL of KLARA RAFTERY from the decision of the PLANNING COMMISSION in APPROVING CONDOMINIUM CONVERSION PERMIT NO. CCP-56 which proposes the conversion of existing 7-apartment units (BAK CONDOMINIUMS NO. 2) to condominiums. The subject property is located on the west side of 35th Street between Adams and Collier Avenues, in the R-3A ZONE, and within the boundaries of the Mid-City Community Plan and is more particularly described as LOT 18, BLOCK 25, NORMAL HEIGHTS, MAP-985. (DISTRICT-3) (CCP-56)

Today's action is adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

COUNCIL ACTION: (Cassette tape location: A462-B065).

Appeal denied as Resolution R-251535.

Hearing began at 10:44 a.m. Hearing halted at 10:59 a.m.

Mitchell in 10:50 a.m.

Testimony in favor by Klara Raftery.

MOTION BY LOWERY TO CLOSE THE HEARING, DENY THE APPEAL, AND APPROVE THE MAP.

Second by Schnaubelt. Passed by the following vote: Mitchell-nay.

Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-nay.

Stirling-yea. Killea-yea. Mayor Wilson-yea.

Mar-25-1980 ITEM-332:

FILE: ZONE

DESCRIPTION:

REZONING a portion of SECTION 34, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M. (approximately 4.1 acres), located on the southwest side of San Ysidro Boulevard between Highway 117 and Howard Avenue, in the San Ysidro Community Plan area, from ZONE A-1-5 to ZONE R-2. (DISTRICT-8) (CASE-48-80-2)

Subitem-A: (R-80-1603)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-09-55 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council; and

Subitem-B: (O-80-252)

INTRODUCTION of an ORDINANCE for R-2 Zoning. 405  
COUNCIL ACTION: (Cassette tape location: B661-694).

Subitem-A adopted as Resolution R-251465.

Subitem-B introduced, to be adopted April 7, 1980.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT (A), AND INTRODUCE (B)  
FOR R- 2

ZONING. Second by Lowery. Passed by the following vote: Mitchell-yea.  
Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea.  
Stirling-yea. Killea-yea. Mayor Wilson-yea.

Mar-25-1980 ITEM-333:

FILE: STRT OS-2

DESCRIPTION:

(R-80-1551) Authorizing the City Manager to ACQUIRE certain property owned by Bertha McLachlan comprising approximately 2.50 acres and certain property owned by Morris A. Shenker comprising approximately 117.75 acres in LOPEZ CANYON for OPEN SPACE PURPOSES; authorizing the expenditure of not to exceed \$977,500 as payment for said property and related costs from Open Space Park Facilities District No. 1 Bond Fund 79101; authorizing the City Manager to accept the deed to said property without further Council action. (DISTRICT-1)  
COUNCIL ACTION: (Cassette tape location: B003-004).

Adopted as Resolution R-251471.

Councilmembers Cleator and Killea entered the Chambers at 2:19 p.m.

Hearing began at 2:20 p.m. Hearing halted at 2:21 p.m.

MOTION BY GOTCH TO CLOSE THE HEARING AND ADOPT. Second by Killea. Passed  
by

the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not  
present. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea.

Mayor Wilson-yea.

Mar-25-1980 ITEM-334:

FILE: STRT P-10 P-11 P-12F

DESCRIPTION:

Two Resolutions relative to the ACQUISITION of property in Tecolote Canyon, Navajo Canyon and Crest Canyon for Open Space Park Purposes:

Subitem-A: (R-80-1553)

Authorizing the City Manager to ACQUIRE said property; authorizing the expenditure of not to exceed \$2,000,000 as payment for said property and related costs from Open Space Park Facilities District No. 1 Bond Fund 79101; authorizing the City Manager to accept the deed to said property without further Council action; and

Subitem-B: (R-80-1557)

Authorizing the City Manager to REIMBURSE the present owners of the properties which were assessed for the purpose of providing funds for the above acquisition, and to take all other actions necessary and appropriate to cause the retirement of the remaining outstanding bonds which were issued in connection with the above Assessment Districts, and which were not in default with regard to payments of principle or interest; authorizing the City Manager to RETIRE any such bonds presently in default with regard to payments of principle or interest in the event the present property owner cures any such default; authorizing the expenditure of not the exceed \$2,000,000 from Capital Outlay Fund 245 for such reimbursements and related costs. (DISTRICT-1, DISTRICT-5, DISTRICT-6 and DISTRICT-7)

COUNCIL ACTION: (Cassette tape location: B005-022).

Subitem-A adopted as Resolution R-251472.

Subitem-B adopted as Resolution R-251473.

Hearing began at 2:23 p.m. Hearing halted at 2:40 p.m.

Councilmember Williams entered the Chambers at 2:27 p.m.

Testimony in opposition to the appeal by Mary Baden, Irene Dilley, and Ralph Stoneridge.

Mitchell left the Chambers at 2:39 p.m.

MOTION BY GOTCH TO CLOSE THE HEARING AND ADOPT A AND B. Second by Lowery.

Passed by the following vote: Mitchell-not present. Cleator-yea.

Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present.

Killea-yea. Mayor Wilson-yea.

Mar-25-1980 ITEM-335:

FILE: MEET

DESCRIPTION:

Matter of the Recommended VERNAL POOL PRESERVATION Program.

NOTE: See City Manager Report CMR-80-140.

COUNCIL ACTION: (Cassette tape location: B121-226).

Continued to May 6, 1980 at 3:00 p.m., Time Certain.

Motion by Lowery to suspend rules to allow 20 minutes per side to speak and extend the Council meeting past the hour of 5:30 p.m. Second by Gotch. Passed by the following vote: Yeas-1,2,3,4,5,6,7,8,M. Nays-None. Not present-None.

Testimony for the program by Helmut Kiffman, H.K. Friedland, Ta Li, Mitchell Beauchamp, and Keith Johnson.

Testimony against the program by Timothy Flanagan, Thomas Scott, and Cdr. Bryan O. Connell.

Testimony by Joe Bradley.

MOTION BY LOWERY TO CONTINUE CONSIDERATION OF THE PROGRAM TO MAY 6, 1980 AT

3:00 P.M., TIME CERTAIN; INSTRUCT THE CITY ATTORNEY AND MR. COLEMAN CONRAD IN

CHALLENGING THE ENDANGERED SPECIES ACT OF 1973 LEGISLATION: DIRECT STAFF TO

PURSUE WHY THE CITY CANNOT SATISFY THE REQUIREMENTS OF THE ACT ENTIRELY ON

PUBLICLY OWNED LAND, INCLUDING THE DESIGNATION OF PRIVATE AREAS AS STATED BY

MR. BRADLEY, AND FOR RULES COMMITTEE TO CONSIDER THIS QUESTION AND THE

QUESTION OF RESPONSIBILITY AND COST OF MAINTENANCE; REFER TO RULES COMMITTEE

THE RECOMMENDATION MADE BY MR. CONRAD WITH RESPECT TO REVISION OF THE LAND

DEVELOPMENT ORDINANCE; REFER TO THE CITY ATTORNEY AND THE DEPARTMENT OF

LEGISLATIVE REPRESENTATION THE BEST LEGAL AND/OR POLITICAL CHALLENGE TO THE

LEGISLATION. Second by Cleator. Passed by the following vote: Mitchell-not present. Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Mar-25-1980 ITEM-S402:

FILE: MEET

DESCRIPTION:

(R-80-1662) Authorizing the execution of an AGREEMENT with Innis-Tennebaum, Architects, Inc. for an amount not to exceed \$48,000 to provide a program including cost estimating, scheduling, plans, specification, inspections and

related services for the CIVIC THEATRE REHABILITATION; authorizing the EXPENDITURE of \$48,000 from TRANSIT OCCUPANCY TAX FUND 223 for the above purpose. (Centre City Community Area. DISTRICT-8)

NOTE: See City Manager Report CMR-80-158.

COUNCIL ACTION: (Cassette tape location: A291-B002).

Adopted as Resolution R-251466.

MOTION BY MITCHELL TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor

Wilson-ye

Mar-25-1980 ITEM-S403:

FILE: MEET

DESCRIPTION:

(R-80-1587) (Continued from the Meeting of March 17, 1980 at the Mayor's request.) Authorizing the PERSONNEL DIRECTOR to execute AMENDED AGREEMENTS with the San Diego Regional Employment and Training Consortium (RETC) to ACCEPT an ADDITIONAL \$1,000,000 in CETA TITLE II-D funds for a new total Title II-D allocation of \$8,986,863 and an ADDITIONAL \$351,084 in CETA TITLE VI funds for a new total TITLE VI allocation of \$4,610,250 to CONTINUE CETA Public Service Employment programs for the City and Subagents through September 30, 1980; authorizing the PERSONNEL DIRECTOR to execute and MODIFY as necessary agreements with the following agencies to INCREASE or DECREASE funds within the total FY '80 Title II-D and Title VI allocations received from RETC for the above programs pursuant to the Comprehensive Employment and Training Act (P.L. 95-524), Title II-D and Title VI, through September 30, 1980, in the event the foregoing amended agreements with RETC are extended: Comprehensive Planning Organization, Poway Unified School District, San Diego Community College District, San Diego Regional Employment and Training Consortium, San Diego State University, San Diego Unified School District, San Ysidro School District, United Way of San Diego County and University of California, San Diego.

NOTE: See Civil Service Commission Report.

COUNCIL ACTION: (Cassette tape location: A402-336).

Adopted as Resolution R-251467.

MOTION BY KILLEA TO ADOPT. Second by Williams. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-nay. Williams-yea. Schnaubelt-nay.

Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Mar-25-1980 ITEM-S404:

FILE: DEED F-415

DESCRIPTION:

(R-80-1535) Approving the acceptance by the CITY MANAGER of GRANT DEED of

Miller Guest Homes, Inc., conveying LOTS 49, 50, 52, 53 and 54, and a portion of LOT 48 of ENCANTO PARK ADDITION TO ENCANTO HEIGHTS, MAP-1228; authorizing the EXPENDITURE of \$54,338 from SUBDIVISION PARK FEE FUND 11681, \$21,688 from BUILDING PERMIT PARK FEE FUND 15681, \$23,008 from BUILDING PERMIT PARK FEE FUND 15671, and \$15,466 from BUILDING PERMIT PARK FEE FUND 15670 to cover cost of acquiring said land. (Located on the south side of Imperial Avenue just easterly of Ritchie Street. DISTRICT-4)  
COUNCIL ACTION: (Cassette tape location: A338).  
Adopted as Resolution R-251468.  
MOTION BY WILLIAMS TO ADOPT. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Mar-25-1980 ITEM-S501:

FILE: PERM CCP-42

DESCRIPTION:

(R-80- ) (Continued from the Meetings of February 19 and March 18, 1980 at Dave Durkin's request.) APPEAL of PACIFIC PLAZA TERRACE APARTMENTS TENANTS ASSOCIATION, by Shirley Kadisch, from the decision of the PLANNING COMMISSION in GRANTING CONDOMINIUM CONVERSION PERMIT NO. 42, which proposes the conversion of existing apartment units (PACIFIC PLAZA TERRACE APARTMENTS) to condominiums. The subject property is located on the south side of Emerald Street between Ingraham and Jewell Streets, in the CO ZONE and within the boundaries of the Mission-Pacific Beach Community Plan, and is more particularly described as LOTS 6 through 16, BLOCK 183, PACIFIC BEACH, MAP-854. (DISTRICT-6) (CCP-42)

Today's action is adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

NOTE: Hearing open, no testimony taken on 2-19-80. District 5 not present.  
Hearing open, no testimony taken on 3-18-80. Districts 4, 5, 8 and Mayor not present.

COUNCIL ACTION: (Cassette tape location: B023-111).

Adopted as Resolution R-251474.

Hearing began at 2:41 p.m. Hearing halted at 4:09 p.m.

Testimony in favor by David Duken, Harry Delaney, Kathryn Doran, Shirley Kodish, Jeannie Lott, Hans Jovashoff, Max Sparer, and Joe Stern.

Testimony against the appeal by Alan Perry.

Motion by Williams to suspend rules to allow 20 minutes per side to speak.

Second by Gotch. Passed by the following vote: Yeas-1,2,3,4,5,6,8,M.

Nays-None. Not present-7.

Motion by Gotch to close the hearing, uphold the appeal, and deny the permit.



Second by Killea. Defeated by the following vote: Yeas-1,4,6,8.

Nays-2,3,5,M. Not present-7.

MOTION BY CLEATOR TO CLOSE THE HEARING, DENY THE APPEAL, AND GRANT THE PERMIT,

ON CONDITION STATED BY MR. ALAN PERRY TO INSERT IN THE PERMIT REQUIRED BY

SUBSECTION B OF SECTION 101.0992 OF THE ORDINANCE, THAT THE \$500 DEPOSIT PER

UNIT IS DEPOSITED WITH THE CITY AND IS UTILIZED UPON THE REQUEST OF THE TENANT

FOR ASSISTANCE FROM THE HOUSING COMMISSION IN LOCATING NEW RESIDENCES. Second

by Lowery. Passed by the following vote: Mitchell-nay. Cleator-yea.

Lowery-yea. Williams-nay. Schnaubelt-yea. Gotch-nay. Stirling-not present.

Killea-yea. Mayor Wilson-yea.

Mar-25-1980 ITEM-S502:

FILE: MEET

DESCRIPTION:

Two Items relative to the Dairy Mart Road Storm Damage Project:

Subitem-A: (O-80-264)

AMENDING Ordinance No. 12700 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1979-80 AND APPROPRIATING THE

NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," by

AMENDING Document No. 766809, as adopted and amended therein, by APPROPRIATING the sum of \$6,000,000 of UNAPPROPRIATED GENERAL FUND TAX REVENUE; authorizing

increase of estimated revenue in the GENERAL FUND; and authorizing the transfer of GENERAL FUND UNAPPROPRIATED REVENUE to a special fund for STORM DAMAGE; and

Subitem-B: (R-80-1770)

Declaring that a STATE OF EMERGENCY and URGENT NEED EXISTS with respect to the immediate restoration of Dairy Mart Road across the Tia Juana River; Declaring that the PUBLIC INTEREST or NECESSITY DEMANDS the immediate expenditure of funds to safeguard life, health or property; Approving the specifications and waiving the competitive bid provisions of Section 94 of the City Charter to allow the Purchasing Agent to seek bids without advertising for formal bids for the purpose of emergency reconstruction of Dairy Mart Road across the Tia Juana River; authorizing a contract with the lowest responsible and responsive bidder; authorizing the expenditure of not to exceed \$150,000 from Capital

Improvement Project 52-199.1 for purposes of executing this contract; authorizing the CITY AUDITOR AND COMPTROLLER to transfer \$150,000 in Capital Outlay Funds from CIP-37-137, Crystal Pier; to CIP-52-199.1, Reconstruction of Dairy Mart Road, for the above-mentioned project.

(DISTRICT-8)

NOTE: See City Manager Report CMR-80-179.

COUNCIL ACTION: (Cassette tape location: A218-287).

Subitem-A introduced, to be adopted April 7, 1980.

Subitem-B adopted as Resolution R-251469.

Schnaubelt in 9:03 a.m.

MOTION BY KILLEA TO INTRODUCE (A) AND ADOPT (B) WITH RECOGNITION BY COUNCIL OF

MATERIAL CONTAINED IN MANAGER'S REPORT 80-179 STATING FACTS TO SUPPORT

DECLARATION OF AN EMERGENCY. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Mar-25-1980 ITEM-UC-3:

FILE: MEET

DESCRIPTION:

(R-80-0000) A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Councilmember Stirling from the afternoon session of Council on

Tuesday, March 25, 1980, due to a personal doctor's appointment.

COUNCIL ACTION: (Cassette tape location: B002).

Adopted as Resolution R-251475.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present.

Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor

Wilson-yea.

Mar-25-1980 ITEM-NOTE-1:

FILE: Minutes File

DESCRIPTION:

Welcome thirty-three students from Francis Parker School. (District 5)

COUNCIL ACTION: (Cassette tape location: A390).

Welcomed.

Mar-25-1980 ADJOURNMENT:

FILE: Minutes File

COUNCIL ACTION:

Motion by Killea to adjourn. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Mar-25-1980

ITEM-331:

FILE: ZONE

DESCRIPTION:

REZONING PARCEL 1, PARCEL MAP-9089, and a portion of PUEBLO LOT 1303 of the PUEBLO LANDS OF SAN DIEGO, MISCELLANEOUS MAP-36 (approximately 15.8 acres), located on the south side of La Jolla Village Drive between Towne Center Drive and I-805, in the University Community Plan area. from ZONE R-1-5 (portion in HR) to ZONE CO. (DISTRICT-1) (CASE-38-80-1)

Subitem-A: (R-80-1604)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-09-19 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council;

Subitem-B: (O-80-253)

INTRODUCTION of an ORDINANCE for CO Zoning; and

Subitem-C: (R-80- )

Adoption of a RESOLUTION containing the findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-79-09-19.  
COUNCIL ACTION: (Cassette tape location: B065-071 and B089-391).

Subitem-A adopted as Resolution R-251463.

Subitem-B introduced, to be adopted April 7, 1980.

Subitem-C adopted as Resolution R-251464.

Hearing began at 10:59 a.m. Hearing halted at 11:00 a.m.

Hearing began at 11:01 a.m. Hearing halted at 11:22 a.m.

Testimony given by John Thelan.

Motion by Mitchell to refer to the City Manager for safety recommendations regarding the problem of vehicles crossing the divider on the south end of Towne Center Drive. Second by Stirling. Passed by the following vote:

Yeas-1,2,3,4,5,6,7,8,M.

MOTION BY MITCHELL TO CLOSE THE HEARING, INTRODUCE (B) FOR CO ZONING, AND

ADOPT (A) AND (C) WITH THE UNDERSTANDING THAT WHEN APPLICANTS RETURN WITH THE MAP AN AGREEMENT BE ENTERED INTO WITH THEM WHEREBY THEY WOULD ADVANCE FUNDS FOR SIGNALIZATION, LATER TO BE REIMBURSED BY IMPACT FEES. DIRECTION WAS GIVEN TO PLANNING TO DETERMINE IF FEES HAVE BEEN REDUCED TO REFLECT THE CONTRIBUTION THE JEWISH COMMUNITY CENTER WILL PROVIDE IN THE WAY OF DEVELOPMENT. EVERYONE, INCLUDING THE JEWISH COMMUNITY CENTER, SHOULD BE CONTACTED REGARDING WHAT FEES ARE CALCULATED AND THE RELATIONSHIP BETWEEN THE JEWISH COMMUNITY CENTER AND PARK FEES THAT ARE ALREADY CALCULATED. Second by Stirling. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Mar-25-1980  
ITEM-S500:

19800325

(Continued from the Meeting of March 18, 1980 at Council Member William's request.)

APPEAL OF SKYLINE PARADISE HILLS PLANNING COMMITTEE, by Harriett Florence and Ed Spencer, from the decision of the PLANNING COMMISSION in APPROVING PRELIMINARY PARCEL MAP PM-79-411 which proposes a four-lot division of a portion of SECTION 100, RANCHO DE LA NACION, MAP-166. The subject property is located at the intersection of Tonawanda Drive and Valley Road in the R-1-5 ZONE and within the boundaries of the South Bay Terraces Development Plan.

(DISTRICT-4.)

(PM-79-411)

Subitem-A: (R-80- ) CONTINUED TO APRIL 1, 1980, 8:30 A.M.

Adoption of RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-08-53 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council;

Subitem-B: (R-80- ) CONTINUED TO APRIL 1, 1980, 8:30 A.M.

Adoption of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action; and  
Subitem-C: (R-80- ) CONTINUED TO APRIL 1, 1980, 8:30 A.M.

Adoption of a RESOLUTION containing the findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-79-08-53.

Hearing open, no testimony taken on 3-18-80.

COUNCIL ACTION: (Tape location: B075-087 and B395-654).

Hearing began at 11:00 a.m. Hearing halted at 11:01 a.m.

Hearing began at 11:23 a.m. Hearing halted 11:36 a.m.

Testimony in favor by Ed Spencer.

Testimony in opposition by Gary Hay.

ADOPTED AS RESOLUTION R-251574 DECLARING THE TAKING OF RIGHT-OF-WAY PRIORITY 1 IN THE STATE'S ACQUISITION.

MOTION BY WILLIAMS TO CONTINUE TO APRIL 1, 1980, 8:30 A.M., WITH DIRECTION TO THE CITY ATTORNEY TO PREPARE A RESOLUTION DECLARING THE TAKING OF RIGHT-OF- WAY PRIORITY 1 IN THE STATE'S ACQUISITION. DIRECTION WAS GIVEN TO DEPARTMENT OF LEGISLATIVE REPRESENTATION TO CONTACT SENATOR MILLS TO INVOLVE HIS OFFICE FURTHER IN DECLARING

RIGHT-OF-WAY PRIORITY 1. Second by Killea. Passed by the following vote: Mitchell-yea, Cleator-yea, Lowery-yea, Williams-yea, Schnaubelt-yea, Gotch-yea, Stirling-yea, Killea-yea, Mayor Wilson-yea.